

CLASSIFICATION OFFICE DECISION

Title of publication: southernbell1 bate ns.avi

Other known title(s): Not stated

OFLC ref: 1200593.011

Medium: Computer Moving Image File

Director: Not applicable

Producer: Not applicable

Country of origin: Not stated

Language: Not applicable

Applicant: Hamilton District Court

Classification:	Objectionable except if the availability of the publication is restricted to persons who have attained the age of 18 years.
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Excisions: No excisions recommended

Descriptive note: None

Display conditions: None

Date of entry in Register: 30 July 2012

Date of direction to issue a label: No direction to issue a label has been issued

	Components	Running time
Timed component(s):	southernbell1 bate ns.avi	11:57
Total running time:		11:57

Summary of reasons for decision:

The availability of the computer moving image file is restricted to persons who have attained the age of 18 years because it contains webcam footage showing a young woman displaying her sexual parts and performing sexual acts for the camera. The subject's youthful appearance has been considered, but on the information available in the clip it cannot fairly be said that the

woman depicted is a "young person". However, society in general perceives an injury in children and young persons being exposed to explicit sexual material before they are ready. The likely injury lies in the potential for the publication to have a harmful effect on the development of sexual behaviour and attitudes.

The classification given to this publication places a limit on the freedom of expression as set out in the New Zealand Bill of Rights Act 1990, but the availability of the file to children and young people is likely to be injurious to the public good. The classification is reasonable, demonstrably justifiable and the minimum required to avoid injury.